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# Distributive Justice and Political Ideologies

## A Reply to Volacu

VALENTIN STOIAN

### *Introduction*

Political theory and real-world politics have had a sometimes tenuous relationship. Caught in the web of abstract theorizing, political philosophers chose to withdraw from real world politics and to relate to one another strictly according to philosophical lines. Alternatively, real world politicians are daily confronted with hard political choices to make, compromises to decide upon and power struggles to contend. While these two worlds have gradually moved apart, only few political theorists have attempted engaging with the world of day-to-day politics.

This engagement is necessary since political theory risks losing its relevance if it chooses to withdraw from a dialogue with politics. Aimed to be not just a study of politics, but to generate action-guiding principles of political justice, political theory must take into account the developments occurring in real-world politics if it seeks to remain relevant.

One way in which some political theorists chose to undertake this task is to engage the topic of just institutions in their work. Authors such as O'Neill<sup>1</sup>, Williamson<sup>2</sup>, Alperovitz<sup>3</sup>, Tomasi<sup>4</sup> and Penny<sup>5</sup> work at lower level of abstraction than the classics of political theory and engage the issue of how principles of justice can translate into institutions. Alternatively, they employed

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<sup>1</sup> Martin O'Neill, "Free (and Fair) Markets Without Capitalism: Political Values, Principles of Justice and Property-Owning Democracy", in Martin O'Neill, Thad Williamson (eds.) *Property-Owning Democracy: Rawls and Beyond*, Wiley-Blackwell, Oxford, 2012; Martin O'Neill "Liberty, Equality and Property-Owning Democracy", *Journal of Social Philosophy*, vol. 40, issue 3, Fall 2009, pp. 379-396.

<sup>2</sup> Thad Williamson, "Is Property-Owning Democracy a Politically Viable Aspiration?", in Martin O'Neill, Thad Williamson (eds.) *Property-Owning Democracy...*cit.

<sup>3</sup> Gar Alperovitz, "The Pluralist Commonwealth and Property-Owning Democracy", in Martin O'Neill, Thad Williamson (eds.) *Property-Owning Democracy...*cit.

<sup>4</sup> John Tomasi, *Free Market Fairness*, Princeton University Press, Princeton, 2012.

<sup>5</sup> Richard Penny, "Self-Respect or Self-Delusion? Tomasi and Rawls on the Basic Liberties", *Res Publica*, vol. 21, issue 4, 2015, pp 397-411; Richard Penny, "Incentives, Inequality and Self-Respect", *Res Publica*, vol. 19, issue 4, November 2013, pp 335-351.

their work and entered into a debate with economists on this topic. The best example is Martin O'Neill's participation in the Crooked Timber seminar discussing Piketty's<sup>6</sup> work.

A Romanian example of such work is Alexandru Volacu's<sup>7</sup> work on the relation between the concept of distributive justice and several political ideologies. A salutary article, Volacu's paper makes a necessary connection between political science and political theory. Volacu extracts the main characteristics of the normative ideal of distributive justice and compares them to different political ideologies as synthesized in a book edited by Mihaela Miroiu and the platforms of Europarties or American political parties. Volacu establishes three possible relations between the concept of distributive justice and different political ideologies: incompatibility, compatibility and implication. He then proceeds to argue that distributive justice is incompatible with many political ideologies (monist political ideologies, anarchism, conservatism, socialism in its Marxist form) and that it is compatible with anarchism, feminism and cosmopolitanism. Finally, Volacu argues that only social democracy is required by distributive justice and makes his point with a reference to the political platform of the S&D political group in the European Parliament.

This paper aims to critique Volacu's work and to argue three claims: that he 1. misuses the term distributive justice and that 2. Due to this misuse he incorrectly chooses his units of comparison and that 3. He unfairly characterizes the European Left Party's platform as a holist form of communism, owing to his use of common tropes in anti-Marxist literature. It will do so by analyzing Volacu's view on the notion of distributive justice and by distinguishing between distributive justice and theories of distributive justice.

The first section presents an analysis of how Volacu understands the term distributive justice and argues that he is misled by the definition he employs. Moreover, this section also discusses the difference between patterns of distributive justice and principles of justice and argues that Volacu uses the first where he should have used the second. It shows that distributive justice is not a concept, but a field of philosophical investigation and that political ideologies should be compared with individual theories of justice. Then, in the second section, I analyze the difference between the debate on distributive justice and political obligation and argue that Volacu's comparison of distributive justice with anarchism is mistaken as they are simply fish from different ponds. The third section provides an analysis of Volacu's methodology of comparison, and the results are used to buttress the argument from the fourth section, where I affirm that Volacu's claim that the European

<sup>6</sup> Martin O'Neill, *Piketty, Meade and Predistribution*, 17.12.2015, <http://crookedtimber.org/2015/12/17/piketty-meade-and-predistribution/>, accessed 20.02.2016

<sup>7</sup> Alexandru Volacu „On the Ideological Incompatibilities of Distributive Justice”, *Studia Politica. Romanian Political Science Review*, vol. 15, no. 1, 2015, pp. 109-132.

Left Platform manifesto is a holist Marxist document is unfair and misleading, yet provide some background to the intellectual debates which lead him to make this argument. I conclude that Marxism as both an ideology and as theory of distributive justice are unclear, but if the ELP manifesto is an exemplar of Marxism, then Volacu's criticism falls short of fairness and relevance.

### *Distributive Justice: Defining the Playing Field. Patterns and Principles*

Volacu's understanding of distributive justice is marred by two internal confusions which require clarification before one can proceed further. The first confusion is that between distributive justice and theories of distributive justice and the second between patterns and principles of distribution. The first contradiction presupposes that Volacu employs the definition of a theory of distributive justice to describe the concept of distributive justice. Secondly, relying on Nozick, Volacu misreads the term patterns in the expression "patterned principles" of distributive justice which leads him to further muddy the waters.

The first confusion that Volacu makes is that between the concept of distributive justice and a theory of distributive justice. According to him, a definition of distributive justice is "justice in setting A demands that B be distributed to C according to some pattern D, constrained by conditions of type E"<sup>8</sup>. He further elaborates the definition to explain that A is "the state, the community, the basic structure, the family, the world"<sup>9</sup>. The definition quoted above correctly identifies A as the site of distributive justice. The site of distributive justice has been understood in the literature as the institutions that need to be held at the bar of justice, such as the basic structure, personal relations. According to Cohen this is "a site at which principles of justice apply"<sup>10</sup> while according to Abizadeh's fuller definition, it is the kinds of objects (individuals' actions, individuals' character, rules, or institutions, and so on) appropriately governed by principles of justice<sup>11</sup>. Yet, Volacu muddies the water by including objects such as "the world" or "the community" in his instantiation of A. This leads to a potential confusion between the site, which properly belongs under A in this enumeration and the scope, represented by C

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<sup>8</sup> *Ibidem*, p. 110.

<sup>9</sup> *Ibidem*, p. 112.

<sup>10</sup> G.A. Cohen, "Where the Action is: On the Site of Distributive Justice", *Philosophy & Public Affairs*, vol. 26, no. 1, Winter, 1997, pp. 3-30.

<sup>11</sup> Arash Abizadeh, "Cooperation, Pervasive Impact, and Coercion: On the Scope of Distributive Justice", *Philosophy and Public Affairs*, vol 35, no. 4, 2007, pp 318-358.

in the definition. The scope of distributive justice is, also according to Abizadeh<sup>12</sup>, the “range of persons who have claims upon and responsibilities to each other arising from considerations of justice”.

B represents the “currency” of distributive justice, or the thing to be distributed. Volacu then proceeds to define C as “the agents which are eligible for benefiting from the proposed pattern of distribution”. This properly represents the scope of distributive justice. Finally, D and E are quite clear, as they establish the rule according to which a set of goods should be distributed and the constraints upon the theory.

Thus, in Volacu’s view, a theory of distributive justice contains information about the following: the site, the currency, the scope, the principle of distribution and the restrictions to which it is subject. This is a correct and accurate description of a complete and comprehensive theory of justice. Rawls’ theory, the most well-known in the literature includes information on the site (the basic structure, in a relatively limited form), the currency (primary goods), the scope (the national community, people who are under the same coercive institutions) and the principle (the two principles of justice). No restrictions are evident in Rawls’ theory. Alternatively, Dworkin does not include information about the site or scope), but about currency (external and internal resources) and pattern (what comes out of an idealized market which includes insurance trading). G.A. Cohen is less clear, but he at least includes information about the currency (welfare) and pattern (strict egalitarianism or at least a much extended version of the difference principle) and site (a wide understanding of the basic structure<sup>13</sup> (Cohen, 2008).

Yet, while this is all true, Volacu confuses the definition of a theory of distributive justice with the concept itself. The definition above properly explains what a theory is, but does not say anything about what distributive justice is. If a theory of something is a set of sentences about that something, then theories of distributive justice speak about their object, without necessarily defining it. Two other definitions of distributive justice do nothing but make things even more complicated. According to Michelle Maiese “distributive justice is concerned with the fair allocation of resources among diverse members of a community”<sup>14</sup> while in the view of the Internet Encyclopedia of Philosophy (IEP, Distributive justice) “Theories of distributive justice seek to specify what is meant by a just distribution of goods among members of

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<sup>12</sup> *Ibidem.*

<sup>13</sup> G.A. Cohen, *Rescuing Justice and Equality*, Harvard University Press, Cambridge Massachusetts, 2008, p 120.

<sup>14</sup> Michelle Maiese, “Distributive Justice”, June 2013, <http://www.beyondintractability.org/essay/distributive-justice>, accessed 20.02.2016.

society”<sup>15</sup>. The Stanford encyclopedia does somewhat better in attempting to define distributive justice:

“The economic framework that each society has — its laws, institutions, policies, etc. — results in different distributions of economic benefits and burdens across members of the society [...] Arguments about which frameworks and/or resulting distributions are morally preferable constitute the topic of distributive justice”<sup>16</sup>.

In the view of this paper, the Stanford definition should be adopted as the understanding of what distributive justice is. Distributive justice is a field of *philosophical* (as opposed to scientific) *investigation* (akin to metaphysics but, despite its institutional placement- that is, in political science departments, dissimilar from political science proper) in which the competing theories tell us something about how *primordially economic* (as opposed to purely political), *benefits and burdens*, produced by a *framework* should be *distributed (benefits) or shared (burdens)*. The framework element is necessary, as the problem investigated does not emerge outside human interaction of any kind: a group of Robinson Crusoes do not require distributive justice.

Thus, as a field of philosophical investigation, it is rather difficult to compare distributive justice with any ideology whatsoever. The best comparison should then be between individual theories of distributive justice and individual ideologies. To give one example, I would intuitively associate Right-wing Rawlsianism (John Tomasi, Kevin Vallier) with classical liberalism, the mainstream Rawlsian view with social democracy and the left-wing Rawlsians (Martin O’Neill) with a position more akin to that of democratic socialism as that attempted by Clement Attlee and revived by Jeremy Corbyn.

Having thus established the terms, one can further proceed to discuss Volacu’s reading of Nozick and even Nozick himself. If one accepts that distributive justice is a field of philosophical investigation populated by competing theories, then excluding Nozick’s libertarianism would be implausible. However, if one started from the same definition as Volacu, which confounds distributive justice with any specific theory of it, then the exclusion of libertarianism would be a foregone conclusion. In what follows, I shall muse on Nozick’s reading of two crucial terms in the field and explain why Nozick’s theory is indeed a theory of (distributive) justice.

Volacu correctly points out to Nozick’s two main criticisms of the theories of justice prevalent at the time: distribution by the state and patterning. He employs these two characteristics of Nozick’s critique to argue that it

<sup>15</sup> Stanford Encyclopedia of Philosophy, “Distributive Justice”, <http://plato.stanford.edu/entries/justice-distributive/>, 2013, accessed 20.02.2016

<sup>16</sup> Internet Encyclopedia of Philosophy, “Distributive Justice”, <http://www.iep.utm.edu/dist-jus/>, accessed 20.02.2016.

disqualifies libertarian theories from being included in distributive justice, as the latter requires both a central (re)distributive authority and a pattern. However, terminological confusions beset Nozick, probably caused by the fact that the field of distributive justice was in its infancy when he wrote *Anarchy, State and Utopia*.

The first terminological confusion that Nozick commits and which is taken over by Volacu is to understand the term distributive in the construction distributive justice as requiring that something should be distributed *to someone by someone else*. Volacu uses this quote from Nozick to prove his point.

“Hearing the term ‘distribution’, most people presume that some thing or mechanism uses some principle or criterion to give out a supply of things. [...] However, we are not in the position of children who have been given portions of pie by someone who now makes last minute adjustments to rectify careless cutting. There is no central distribution, no person or group entitled to control all the resources, jointly deciding how they are to be doled out”<sup>17</sup> (Nozick, 1974 quoted in Volacu, 2015).

According to Nozick, distributive justice is offensive because it presupposes that a person, or a group of people distributes common resources to others. It would not matter for Nozick if all members of the community would jointly and democratically distribute communal resources to everyone. What matters to him is that a central authority that has any power over resources exists at all. To this view, he opposes a fierce individualism based on justice in transfer and justice in acquisition.

Alternatively, according to my reading of the term distributive justice as a field of philosophical inquiry, the essential meaning of the term “distributive” does not require the currency of justice to be distributed to someone by someone else. The relevant meaning of the term distributive justice is that the end result is a distribution of burdens and benefits according to a *morally relevant rule*. The mechanism by which this distribution is achieved is irrelevant to whether any specific theory qualifies as a theory of distributive justice. If a theory presupposes an absolutely free market of the type that Nozick envisions as the best mechanism of distribution, this does not disqualify it as a theory of distributive justice. The only kinds of theories to be refused the denomination of theories of distributive justice (more because they refuse any type of justice than any type of distribution) are those that deny moral equal status to all humans and those that accept that in economic distribution “might makes right” i.e. those who refuse to make any moral statements.

Secondly, Nozick criticizes theories of distributive justice on account of them being *patterned* i.e. linking distribution with some “natural dimension,

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<sup>17</sup> Robert Nozick, *Anarchy, State and Utopia*, Blackwell Publishers, Oxford, 1974, p. 150 quoted in Alexandru Volacu “On the Ideological Incompatibilities...cit.”.

weighted sum of natural dimensions or lexicographic order of natural dimensions”<sup>18</sup>. Yet, what Nozick does not realize and what leads Volacu astray is that patterning is not a necessary characteristic of a theory of distributive justice. Alternatively, as mentioned above, the crucial aspect of a theory of distributive justice is that it specifies some morally relevant rule (let’s call it principle) according to which distributional end-states should be judged. If one was to modify the definition above to state: *a theory of distributive justice is a coherent set of claims about how and why justice in setting A demands that B be distributed to C according to some **morally relevant rule/principle D**, constrained by conditions of type E*, then one could not say the essence of what theories of distributive justice is would be at all lost. Nozick would have little to complain if someone were to tell him that his three principles (justice in acquisition, justice in transfer, justice in rectification) are morally relevant rules and that, despite the fact that it prohibits a central authority distributing things to people, his theory belongs to the philosophical field of distributive justice.

To distinguish between patterns and principles, one could show that all patterns of distributive justice are also principles, but not all principles are all patterns. Thus, the set of patterns is included in that of principles. Patterns of distributive justice are principles of distribution tied to natural dimensions (such as merit, or, why not, height), while principles are simply relevant statements about how goods and benefits should be distributed.

To recapitulate, in my view, distributive justice is a philosophical field of inquiry (compare it to a pond, filled with competing fish), where the main stakes of debate are the rule, the currency and the set of people to which primordially economic resources are distributed by a social mechanism (not necessarily by someone). It is populated by competing theories offering different answers to this question and which attempt to defeat each other. Theories excluded from this field are non-normative theories (those that try to explain how and why the world is) and theories which reject morality whatsoever.

### *Distributive Justice and Political Obligation: Different Ponds with Different Fish*

One of the first comparisons Volacu undertakes is between his view of distributive justice and anarchism. He argues that since distributive justice presupposes patterns, while anarchism argues “that all forms of human association must be voluntary”<sup>19</sup>, the latter is excluded. As seen above, the use

<sup>18</sup> Robert Nozick, *Anarchy, State...cit.*, p. 156.

<sup>19</sup> Valentin Quintus Nicolescu, “Anarhismul”, în Mihaela Miroiu (coord.) *Ideologii politice actuale*, Polirom, Iași, 2012, pp. 301-321.



of the term patterns is ambiguous and its application for principles of distributive justice leads to even more confusion. The confusion is further compounded by the use of the term “voluntary” in this association and the apparent strong contradiction between voluntariness and patterns. Yet, having cleared the way, and presented a clearer picture of distributive justice as a distinct field of philosophical inquiry, one can now place anarchism as both a philosophical conception and as a political ideology in their proper place.

In this section, I argue, relying on a summary presentation of A.J. Simmons’ work that debates on distributive justice have nothing to do with anarchism. One cannot even compare any theory of distributive justice with any anarchism as they do not play in the same field. Further, I also believe that all theories of distributive justice (Nozick’s included) presuppose the existence of a coercive state and that this is why anarchism as an ideology is left outside the scope of distributive justice as a field of inquiry.

Anarchism, both as a theory of political philosophy<sup>20</sup> and as an ideology belongs to a wholly different field of philosophical debate (imagine that they are different ponds, populated by very different fish), where it confronts different competing theories. While distributive justice asks “How should primordial economic benefits be distributed?”, theories in the political obligation “pond” attempt to answer a very different question, that is “Why should I obey the law?”. In this particular pond, anarchism’s competing fish are Lockean and neo-Lockean consent theories<sup>21</sup> late Rawls’ natural duty of justice<sup>22</sup>, early Rawls’ duty of fair play<sup>23</sup>, Walker’s theory of gratitude<sup>24</sup> and Dworkin’s associative political obligation<sup>25</sup>. Finally, I also claim (although I shall not pursue the argument in detail here) that the answer to the question posed in the political obligation pond must be answered before providing a coherent attempt at a theory of distributive justice. In other words, I believe that, since any theory of distributive justice presupposes a state and that this state must be legitimate, the debate on political obligation is anterior to that on distributive justice.

<sup>20</sup> Stanford Encyclopedia of Philosophy, Political Obligation, August 2014, (<http://plato.stanford.edu/entries/political-obligation/#ConThePolObl>, accessed 20.02.2016).

<sup>21</sup> Michael Otsuka, *Libertarianism without Inequality*, Clarendon Press, Oxford, 2003.

<sup>22</sup> John Rawls, *A Theory of Justice*, 2<sup>nd</sup> edition, Harvard University Press, Cambridge Massachusetts, 1999, p. 334.

<sup>23</sup> *Idem*, “Legal Obligation and the Duty of Fair Play”, in , S. Hook (ed.), *Law and Philosophy*, New York University Press, New York, 1964, pp. 117-129.

<sup>24</sup> Stanford Encyclopedia of Philosophy, Political Obligation, August 2014, <http://plato.stanford.edu/entries/political-obligation/#ConThePolObl>, accessed 20.02.2016

<sup>25</sup> Ronald Dworkin, *Justice for Hedgehogs*, Mass: Belknap Press of Harvard University Press, Cambridge, 2011; *Idem*, *Law's Empire*, Mass: Belknap Press, Cambridge, 1986; A. John Simmons, *Justification and Legitimacy: Essays on Rights and Obligations*, Cambridge University Press, Cambridge, 2001; Valentin Stoian “Dworkin’s Associative Political Obligations and the Anarchist Challenge”, *Annals of the University of Bucharest-Philosophy*, Series 61, no. 1, 2012, pp. 99-107.

Having established the fields in which different theories play, I would like to give a brief summary of anarchism as political philosophy and of its brief, but intense life as a political ideology. I believe that, unlike in many cases, where theories of distributive justice are only with difficulty translated into political ideologies, philosophical anarchism is one where similarities between the philosophy and the ideology are great and the differences lie only in the prescribed action.

Philosophical anarchism has been best expounded by Robert Paul Wolff, who, in his essay "In Defense of Anarchism"<sup>26</sup> argued that political authority is incompatible with individual autonomy. According to his view, one person or institution has authority if it has a "right to be obeyed". This means that a person who has authority has a moral claim to the obedience of others (as opposed to a claim based on power) and that the latter have a moral duty to obey the person in authority. Alternatively, autonomy involves a person taking responsibility for his own actions and doing only the things he can provide himself with a rational reason to do (for example, obeying one's doctor because he has superior expertise on a particular topic, but not because he is one's doctor)<sup>27</sup>.

When putting the two concepts together, Wolff concludes that:

"The defining mark of the state is authority, the right to rule. The primary obligation of man is autonomy, the refusal to be ruled. It would seem, then, that there can be no resolution of the conflict between the autonomy of the individual and the putative authority of the state. Insofar as a man fulfills his obligation to make himself the author of his decisions, he will resist the state's claim to have authority over him. That is to say, he will deny that he has a duty to obey the laws of the state simply because they are the laws. In that sense, it would seem that anarchism is the only political doctrine consistent with the virtue of autonomy"<sup>28</sup>.

A less powerful form of philosophical anarchism is that which does not deny that a theory of political obligation is possible but only claims that no coherent theory has succeeded until now to provide compelling reason for the existence of political obligation. This line of argument establishes three conditions (generality, particularity and content-independence) for a theory of political obligation to succeed and then holds existing theories to this standard, concluding that they fail to satisfy these conditions. The generality condition claims that a theory of political obligation must provide a justification to a citizen to obey all laws issued by a state (not just some). The particularity condition argues that a successful theory of political obligation must account for a citizen being obligated to a particular state (not to, i.e. just states in general). Finally, the content-independence condition claims that such a theory should

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<sup>26</sup> Robert Paul Wolff, *In Defense of Anarchism*, 3<sup>rd</sup> edition, University of California Press, Berkeley, 1970.

<sup>27</sup> *Ibidem*.

<sup>28</sup> *Ibidem*.

offer a reason why a citizen must obey a law because it has been issued by a specific authority and not because it contains certain moral provisions<sup>29</sup>.

However, unlike ideological anarchists, those of a philosophical sort accept that while there is no moral duty to obey the law *because it is the law*<sup>30</sup> (there is no content-independent obligation) there are plenty of content-dependent obligations, most of which are transcribed in existing laws. Thus, there is an obligation not to kill people (due to our common moral status) and not to steal legitimate property (philosophical anarchists have not grappled with a theory of legitimate property, but do not deny such a possibility exist). However, philosophical anarchists have not discussed such cases of embezzlement or tax evasion, where the only victim is the state whose legitimacy they deny. Thus, what philosophical anarchists believe is that non-violent political action should lead us to a world without states and that only in such a world political interactions would be truly voluntary. Wolff imagines a world of small voluntary communities, in which all national defense and economic coordination rely on each interaction being completely voluntary and relatively localized, despite the large costs associated with such a society<sup>31</sup>.

Another difference between philosophical and ideological ones is that the latter do not accept content-dependent obligations and advocate for the violent overthrow of the state, or, in less extreme circumstances, for a complete withdrawal from interactions with states and the creation of voluntary communes (only there, would they argue that content-dependent moral obligations can have force). Ideological anarchists have not provided any moral theory, but a simple reading of their work through the philosophical lenses of today provide the following reading: general moral duties can be overridden in the revolutionary struggle for establishing an anarchist community, but after the state has been overthrown, they will be re-instated voluntarily. This argument can be supported by a necessarily brief perusal of two key anarchist texts: Mikhail Bakunin's *God and the State* and *Revolutionary Catechism* and Sergey Nechayev's *Catechism of a Revolutionary*.

Bakunin argues for the denial of political authority in the following passage:

"In a word, we reject all legislation, all authority, and all privileged, licensed, official, and legal influence, even though arising from universal suffrage, convinced that it can turn only to the advantage of a dominant minority of exploiters against the interests of the immense majority in subjection to them"<sup>32</sup>

<sup>29</sup> Stanford Encyclopedia of Philosophy, Political Obligation, August 2014, <http://plato.stanford.edu/entries/political-obligation/#ConThePolObl>, accessed 20.02.2016.

<sup>30</sup> George Klosko, "Are Political Obligations Content Independent?", *Political Theory*, vol. 39 no. 4, August 2011, pp. 498-523.

<sup>31</sup> Robert Paul Wolff, *In Defense of Anarchism*, cit.

<sup>32</sup> Mikhail Bakunin *God and the State*, 1871, <https://www.marxists.org/reference/archive/bakunin/works/godstate/>, accessed 20.02.2016.

Similarly to Wolff, Bakunin accepts the expertise argument for authority, claiming that in specific and limited circumstances, those who know a field better can have authority, based on their superior experience. Yet, this does not give rise to a general obligation to obey the law:

“Does it follow that I reject all authority? Far from me such a thought. In the matter of boots, I refer to the authority of the bootmaker; concerning houses, canals, or railroads, I consult that of the architect or engineer. For such or such special knowledge I apply to such or such a *savant*. But I allow neither the bootmaker nor the architect nor the *savant* to impose his authority upon me. I listen to them freely and with all the respect merited by their intelligence, their character, their knowledge, reserving always my incontestable right of criticism censure. [...] If I bow before the authority of the specialists and avow my readiness to follow, to a certain extent and as long as may seem to me necessary, their indications and even their directions, it is because their authority is imposed upon me by no one, neither by men nor by God”<sup>33</sup>

Finally, in his *Revolutionary Catechism*, Bakunin argues that a non-state association of people is the only one where content-dependent obligations can be made law by a common *assembly*:

“Man is truly free only among equally free men; the slavery of even one human being violates humanity and negates the freedom of all [...] Absolute rejection of every authority including that which sacrifices freedom for the convenience of the state.[...] The political and economic structure of society must now be reorganized on the basis of freedom. Henceforth, order in society must result from the greatest possible realization of individual liberty, as well as of liberty on all levels of social organization”<sup>34</sup>.

“The political and economic organization of social life must not, as at present, be directed from the summit to the base – the center to the circumference – imposing unity through forced centralization. On the contrary, it must be reorganized to issue from the base to the summit – from the circumference to the center – according to the principles of free association and federation”<sup>35</sup>.

Sergey Nechayev argues for violently overthrowing the state, relying on the idea that there can be no human community as long as the state is still standing:

“The nature of the true revolutionary excludes all sentimentality, romanticism, infatuation, and exaltation. All private hatred and revenge must also be excluded. Revolutionary passion, practiced at every moment of the day until it becomes a habit, is to be employed with cold calculation.

The revolutionary enters the world of the State, of the privileged classes, of the so-called civilization, and he lives in this world only for the purpose of bringing about

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<sup>33</sup> *Ibidem*.

<sup>34</sup> Mikhail Bakunin, *Revolutionary Catechism*, 1866, <https://www.marxists.org/reference/archive/bakunin/works/1866/catechism.htm>, accessed 20.02.2016.

<sup>35</sup> *Ibidem*.

its speedy and total destruction. He is not a revolutionary if he has any sympathy for this world. He should not hesitate to destroy any position, any place, or any man in this world. He must hate everyone and everything in it with an equal hatred. All the worse for him if he has any relations with parents, friends, or lovers; he is no longer a revolutionary if he is swayed by these relationships”<sup>36</sup>.

### *Comparison and Restriction*

In order to establish a relationship between each ideology and the concept of distributive justice, Volacu undertakes an absolutely necessary work of simplification. He extracts the core from each of these concepts and compares these cores against each other, verifying their compatibility. As he himself mentions, this is a “Sisyphean task”, which is limited by “spatial constraints and the vastness of the literature on both distributive justice and political ideologies” and beset by a tradeoff between a limited “possibility of a more thorough examination of the implications of each element of distributive justice on ideologies” and “the provision of a broad, albeit thin, overview of all major salient contemporary ideologies in relation to distributive justice”<sup>37</sup>.

I argue that this methodology is an acceptable way to proceed as long as each restriction is 1. Justified 2. Crucial and 3. Fair. We can imagine each political ideology as having a core and an outer shell. Restricting each of these to create entities comparable within an academic article involves removing the outer shell and keeping only the core in the comparison. Given that the space offered by an academic article is restricted and that the author sets himself an ambitious task, the restrictions that Volacu operates with are also rather large. A significant amount of the outer shell has to be discarded and only a very small core remains to be compared. In order to obtain objects that are worthy of comparison, a strict adherence to the three principles mentioned above is crucial.

The first principle that, I believe, such a restriction needs to operate with, is that of being justified. In other words, all the elements of each *comparandum* that need to be there, are kept in the comparable core. No relevant element is missed and the relationship between each of the core elements is well-established. The second principle that this comparison needs to fulfill is that of being crucial: only the relevant elements are kept in the comparable core and no irrelevant element enters. For each ideology, at least the main tenets have to remain, such as the grounding conception of human moral status, the foundation of political authority, its scope and its ultimate goal. Moreover, no unnecessary elements should be added.

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<sup>36</sup> Sergey Nechayev *The Revolutionary Catechism*, 1869, <https://www.marxists.org/subject/anarchism/nechayev/catechism.htm>, accessed 20.02.2016.

<sup>37</sup> Alexandru Volacu „On the Ideological Incompatibilities...cit.”, p. 111.

The third principle of restriction is that of fairness. It argues that all ideologies need to be reduced to their core fairly. A person attempting Volacu's comparison should not make a straw man out of a particular ideology while keeping attractive parts of another. For example, one could dislike conservatism and present only its negative implications, while liking social democracy and demonstrating its most positive sides. The comparable core of each ideology should be based on a fair mix of appealing and un-appealing elements. Further, the clarification of each element should be done in the best spirit of the ideology rather than in a way to negatively or positively affect one or another. For example, if two different ideologies (let's say conservatism and social democracy) speak of "fairness" as a crucial value, one needs to interpret what fairness means for each of these in the light of other elements of the comparable core. Thus, one will certainly find that "conservative fairness" is different from "social- democratic fairness", the first referring to a fair market, while the second to a fair ex post (after the market has run its course) distribution of income and wealth. Further, the relative weight of each value differs in each ideology, complicating the attempted restriction even further. Yet, as long as the same procedure is applied to each ideology in turn, one can reach acceptable cores for each of these ideologies. Further, one can also accept that the primary sources (the platforms of Europarties and of American political parties) Volacu employs in order to obtain the cores for each ideology are acceptable, as they represent the best possible simplified option.

### *Marxism and Justice*

In this section I criticize Volacu's approach to Marxism, resulting in claim that Marxism is incompatible with distributive justice. I argue, based on the principles of restriction defended above, that his construal of Marxism grossly violates the principle of being crucial and, to a lesser extent that of being justified. Accusing Volacu's restriction of Marxism of unfairness would be unfair by itself, as I do not think it was done with the goal of excluding Marxism from the scope of comparable ideologies. Yet, I also offer a very brief presentation of the main tropes in the anti-Marxist literature which serve as an inspiration for such restrictions.

As an epitome of neo-communist ideology, Volacu analyzes the platform of the party of the European left and correctly argues that it presents a rather "blurry vision of what socialism is",<sup>38</sup>, alternating old socialist values such as economic equality, with new views which include anti-globalization, third world issues, environmentalism, gender issues and the critique of the EU's

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<sup>38</sup> *Ibidem*, p. 119.

democratic deficit Yet, despite the impressive array of democratic values espoused by the Manifesto, Volacu focuses on a single sentence at the end of the program, which claims that “for us this creates a new political space for class struggle and for the defense of the interests of workers and democracy”,<sup>39</sup> and employs it to accuse Marxism of holism. Holism, at least in its very strong form, means that an ideology’s unit of operation is not the individual but supra-individual indivisible social groups, endowed with their own interests and purposes a. Moreover, according to this view, one’s belonging to such a group is based on one or more of a person’s objective characteristics such as skin color or placement in a social structure<sup>40</sup>

The next paragraph presents another criticism that Volacu raises against the European left’s manifesto. After having previously claimed that distributive justice should include a space for individual responsibility, Volacu concludes that because Marxism is a holist ideology, it denies this value. It is yet unclear if, for Volacu, the responsibility-denial characteristic of Marxism is based on its presumed holism or if he ushers in the second great accusation leveled against Marxism: teleological determinism. According to this claim, Marxism denies individual responsibility because it contains a very strict theory of history according to which this operates according to iron laws eventually leading to communism<sup>41</sup>.

I do not claim that teleological determinism and holism have not been characteristics of the thinking of many Marxist authors. One can only see the example of Gyorgy Lukacs’ *History and Class Consciousness* to see how these two strains of thought have been combined. I have argued elsewhere that according to Lukacs, the concept of class is an indivisible whole, connected by a common “class consciousness”, understood as correct behavior given one’s objective placement in the relations of production coupled with the understanding of the unchangeable nature of historical laws<sup>42</sup>. Marx himself was ambiguous on the issue, as many times his use of terms and lack of clarification leaves much to be desired.

Claiming that the Manifesto of the Party of the European Left is a holist and maybe teleological determinist document is a difficult argument to accept

<sup>39</sup> European Left Party Manifesto, <http://www.european-left.org/propos-de-la-ge/documents>, accessed on 20.03.2016.

<sup>40</sup> Valentin Stoian, *Debates on the Existence of Historical Laws: Historicism and its Critics*, MA thesis, [http://www.etd.ceu.hu/2010/stoian\\_valentin.pdf](http://www.etd.ceu.hu/2010/stoian_valentin.pdf), accessed 20.02.2016.

<sup>41</sup> Isaiah Berlin “Historical Inevitability”, in *Four Essays on Liberty*, Oxford University Press, Oxford, 1992, pp. 94-166

Leszek Kolakowski *Main Currents of Marxism*, W. W. Norton & Company, New York, 1978; Karl Popper, *The Open Society and Its Enemies*, NJ: Princeton University Press, Princeton, 1950; Robert C Tucker, *Philosophy and Myth in Karl Marx*, Cambridge, England, 1961; Friedrich August Hayek, *The Counter-revolution of Science: Studies on the Abuse of Reason*, Liberty Press, Indianapolis, 1979.

<sup>42</sup> Valentin Stoian *Debates on the Existence of Historical Laws...cit.*

as it excludes relevant elements from those present in the document. The manifesto comprises a wide range of values and goals, including the rejection of US “hegemony”, a pro-global south approach, and a rejection of militarism, an avowal of social and economic rights (anathema to orthodox Marxists), a refusal of militarism and an ambiguous position on the Israeli-Palestinian conflict. Thus, the ELP platform could be maximally called a democratic socialist document. As a political ideology, I would find it most akin to left-wing Rawlsianism as defended by O’Neill, Penny and Samuel Arnold<sup>43</sup>.

Having cleared the way and critiqued Volacu’s textual construal of communism, I will proceed by offering his view the benefit of the doubt, presenting it in its best possible form and then providing rejections of the arguments presented. I claim and have elsewhere argued<sup>44</sup> that Marx’s opus is an ambiguous mass where conflicting texts make the formulation of a Marxist theory of justice nearly impossible. Thus, while the text on which Volacu relies to describe communist ideology is nothing but a plea for democratic socialism, his critiques tap into several deep-rooted and well-argued views.

A plethora of arguments against normative Marxism have been conceived throughout the literature:

- Marxism is a totalitarian ideology as it is holist and determinist. This view, which Volacu taps into, is a hindsight-based reading of Marx’s original texts: imputing on them the understanding provided by subsequent generations of communist revolutionaries which became the official legitimating doctrine of the Eastern European communist parties. The main authors who proceed on this track and have generated this canonical reading are Karl Popper, Isaiah Berlin, Leszek Kolakowski and Robert C. Tucker<sup>45</sup>.
- Marxism is nothing but a descriptive/analytical tool. It can explain and attempt (while failing to) predict, but says nothing perceptive. It is mostly a theory of history or a sociological theory. Moreover, its price/value distinction has been one of the worst forms of distortion of economic theory.

<sup>43</sup> Samuel Arnold „Right-wing Rawlsianism: A Critique”, *Journal of Political Philosophy*, vol. 21, issue 4, December 2013, pp. 382-404.

<sup>44</sup> Valentin Stoian, *Property Owning Democracy, Socialism and Justice: Rawlsian and Marxist Perspectives on the Content of Social Justice*, PhD thesis, <http://politicalscience.ceu.edu/sites/politicalscience.ceu.hu/files/attachment/basicpage/764/stoian.pdf>, accessed 20.02.2016

<sup>45</sup> Isaiah Berlin “Historical Inevitability”, cit.; Leszek Kołakowski *Main Currents of Marxism*, cit.; Karl Popper, *The Open Society and Its Enemies*, cit.; Robert C Tucker, *Philosophy and Myth in Karl Marx*, cit.



- Marxism is morally relativist as it argues that consciousness depends on social class and historical period. It makes no universal moral claims<sup>46</sup>
- Marxism's normative evaluations are either 1: internal critiques of capitalism (arguing that capitalism fails to live up to its own normative standards)<sup>47</sup> and/or 2. made from the perspective of a society beyond justice, where the circumstances of justice would disappear<sup>48</sup>
- Even giving Marx's texts their best interpretation, no coherent theory can be drawn out of them, to include at least a defensible principle of justice.

A detailed rejection of all these critiques is impossible in the short space provided by this article. The following counter-arguments to those presented above have been brought:

- Marxism is neither holist nor determinist. It has a theory of history, but this does not impose "iron laws". Its supposedly holist concepts (class, proletariat), can be offered non-holist readings<sup>49</sup>
- It is true that Marxism offers mostly analyses and prediction, but it also contains normative evaluations of working class conditions in XVIII<sup>th</sup> and XIX<sup>th</sup> century Britain. It strongly condemns the immiseration of the proletariat<sup>50</sup>.
- Marx also makes moral evaluations of capitalism. He does normative philosophy *malgre lui* (despite himself)<sup>51</sup>.
- Marx rejects capitalism as a whole and he could not have simply critiqued it based on its own theories of justice. Only a wrong interpretation of Marx's texts sees communism as beyond justice. It is a society governed by the needs principle (From each according to his ability, to each according to his needs), provided with a reasonable interpretation of needs<sup>52</sup>.
- Several authors have attempted to build Marxian theories of justice, either based on a strict egalitarianism, or on a form of self-ownership

<sup>46</sup> Allen Wood *Karl Marx* (expanded second edition), Taylor and Francis, London, 2004; Robert C Tucker, *Philosophy and Myth in Karl Marx*, cit.

<sup>47</sup> Norman Geras, "Bringing Marx to Justice: An Addendum and Rejoinder", *New Left Review*, Sep. 1, 1992, pp. 37-69; *Idem*, "The Controversy about Marx and Justice", *New Left Review*, Mar. 1, 1985, pp. 47-85

<sup>48</sup> John Rawls, *Lectures on the History of Political Philosophy*, ed. by Samuel Freeman, Harvard University Press, Cambridge Massachusetts, 2008.

<sup>49</sup> G.A., Cohen, "The Structure of Proletarian Unfreedom", *Philosophy & Public Affairs*, vol. 12, no. 1, Winter, 1983, pp. 3-33; *Idem*, "The Labor Theory of Value and the Concept of Exploitation", *Philosophy & Public Affairs*, vol. 8, no. 4, Summer, 1979, pp. 338-360; Jon Elster, *Making Sense of Marx*, Éditions de la Maison des sciences de l'homme, Paris, 1991.

<sup>50</sup> Norman Geras "The Controversy about Marx...cit."

<sup>51</sup> *Ibidem*.

<sup>52</sup> *Ibidem*.

or on some variation of self-determination or a “Marxian-Liberal” original position, where the coercive nature of private property is taken into account by the deliberators<sup>53</sup>.

### *Conclusion*

The article presented a critique of Alexandru Volacu’s comparison of distributive justice with several political ideologies. It has provided arguments for distinguishing between theories of distributive justice and the concept itself, seen as a distinct field of philosophical investigation. Thus, rather than comparing the concept of distributive justice with different political ideologies, the article pleads for linking individual theories with their political counterparts. It proposes a connection between i.e. social-democracy and mainstream Rawlsianism and left-wing Rawlsianism and democratic socialism. Other such connections are left to be investigated in further work.

Then, the article separated debates on political authority and obligation from those on distributive justice by using a metaphor of ponds populated by different fish. Thus, the political authority pond is filled with different theories than the distributive justice one. Anarchism properly belongs in the political authority “pond” where its main competitors are theories which attempt to ground moral obligations to obey the law.

Finally, the article generated three principles of acceptable restriction of the main tenets of a political ideology and employs them to argue that Volacu’s construal of socialism in the European Left Party’s manifesto is simplistic and unjustified. While arguing against his view, I also maintain that Volacu should be given the benefit of the doubt as the main trend of interpretation of Marxist literature has favored such a result. To argue for this, the article presented a necessarily extremely brief overview of debates in the literature on interpreting the works of Karl Marx.

Due to the necessity to be brief as well as to my relatively limited knowledge on the main tenets of other political ideologies, I do not attempt to establish connections between these and theories of distributive justice here. Yet, I conclude by firmly holding on to the view that, to the greatest extent possible, ideologies should be compared to individual theories of distributive justice.

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<sup>53</sup> Jeffrey Reiman, *As Free and as Just as Possible: The Theory of Marxian Liberalism*, Wiley-Blackwell, Chichester, 2012.